

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

**DECOTIIS, FITZPATRICK & COLE, LLP**

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*Attorneys for Plaintiff Algonquin Gas Transmission, LLC*

ALGONQUIN GAS TRANSMISSION,  
LLC, a limited liability company of the State  
of Delaware,

Plaintiff,

v.

0.12 Acres Of Land, More or Less, In  
STONY POINT, ROCKLAND COUNTY,  
NEW YORK; CARL F. LIPSKI, fee owner;  
ROBERT MAGRINO, Esq., in his role as  
Court Appointed Foreclosure Referee; and  
ALL UNKNOWN OWNERS,

Defendants.

Civil Action No. \_\_\_\_\_

**NOTICE OF CONDEMNATION**

**NAME AND ADDRESS OF RECORD OWNER:**

CARL F. LIPSKI  
1015 VILLA LN.  
BOYNTON BEACH, FL 33435

ROBERT V. MAGRINO, ESQ.  
4 LAUREL ROAD  
NEW CITY, NEW YORK 10956

**YOU ARE HEREBY NOTIFIED** that a Complaint in Condemnation has been filed by  
Algonquin Gas Transmission, LLC, in the Office of the Clerk of the United States District  
Court for the Southern District of New York, in the United States Courthouse in White Plains,

New York, for the taking of a temporary easement, across property identified on the Official Tax Map of Stony Point as follows:

- a. Section 15.01, Block 5, Lot 3: a 0.12 acre temporary easement as shown on Drawing No. S7-P-9010 (Tract R-86) a copy of which is attached hereto as

**Exhibit A.**

A copy of the Verified Complaint is served herewith. The authority for this taking is a law of the United States found at 15 U.S.C. § 717 et. seq., commonly known as the Natural Gas Act, which act at § 717(f)(h) authorizes the taking of property to construct, operate, and maintain a natural gas pipeline after having received a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission ("FERC"). The plaintiff/condemnor obtained such a Certificate from FERC on March 3, 2015.

If you have any defense to the taking of these properties in which you may have or claim some interest, you are required to serve your answer upon the plaintiff's attorneys, at the address designated in the above caption or 664 Chestnut Ridge Road Spring Valley, NY 10977, within twenty-one (21) days after service of this notice upon you, exclusive of the date of service. Your answer shall:

1. Identify the properties in which you claim to have an interest.
2. State the nature and extent of the interest you claim.
3. State all your objections and defenses-to the taking of the properties.

A FAILURE TO SERVE AN ANSWER SHALL CONSTITUTE CONSENT TO THE TAKING AND TO THE AUTHORITY OF THE COURT TO PROCEED TO HEAR THE ACTION AND TO FIX JUST COMPENSATION, AS WELL AS A WAIVER OF ALL DEFENSES AND OBJECTIONS NOT SO PRESENTED.

If you have no objection or defense to the taking, you may serve upon the plaintiff's attorney a notice of appearance designating the properties in which you claim to be interested, and thereafter you shall receive notice of all proceedings affecting these properties.

At the hearing or trial on the issue of just compensation, whether or not you have answered or served a Notice of Appearance, you may present evidence as to the amount of compensation to be paid for the properties in which you have any interest, and you may, subject to the proofs that you submit, share in the distribution of the award of compensation.

**DECOTIIS, FITZPATRICK & COLE, LLP**  
Attorneys for Plaintiff, Algonquin Gas Transmission, LLC

Dated: July 30, 2015

By: s/ Jeffrey D. Smith

Jeffrey D. Smith, Esq  
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Tel: (201) 928-1100  
Fax: (201) 928-0588

Ruby J. Krajick

Clerk

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Deputy Clerk

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Date

ALGONQUIN GAS TRANSMISSION, LLC, a limited partnership of the State of Delaware,

Plaintiff,

v.

0.12 Acres Of Land, More or Less, In STONY POINT, ROCKLAND COUNTY, NEW YORK; CARL F. LIPSKI, fee owner; ROBERT MAGRINO, Esq., in his role as Court Appointed Foreclosure Referee; and ALL UNKNOWN OWNERS,

Defendants.

**Exhibit A**  
**To Notice of Condemnation**

## EXHIBIT 'A'

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